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Dated: 11-18-04

Signature: Maura A. Gallagher

(Maura A. Gallagher)

Docket No.: MIY-P01-024  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Chu et al.

Application No.: 10/642395

Confirmation No.: 9490

Filed: August 14, 2003

Art Unit: 3731

For: SYSTEMS, METHODS AND DEVICES  
RELATING TO DELIVERY OF MEDICAL  
IMPLANTS

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

A copy of the non US references listed on the PTO/SB/08 is attached. A summary/abstract translation of the non-English language references is enclosed where applicable.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this

Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Applicants call the Examiner's attention to office actions which may have issued in the following co-pending, co-owned patent applications of which subject matters are related to that of the instant application:

<b>U.S. Patent Application Serial Number</b>	<b>Filing Date</b>
10/093,371	March 7, 2002
10/093,398	March 7, 2002
10/093,424	March 7, 2002
10/093,450	March 7, 2002
10/093,498	March 7, 2002
10/094,354	March 7, 2002
10/642,397	August 14, 2003
10/642,365	August 14, 2003
10/641,487	August 14, 2003

Applicants have become aware of the following documents: U.S. Patent No. 6,312,448; U.S. Patent No. 5,904,692; WO 00/74594; EP 1159920; and U.S. Patent No. 5,899,909, cited in

an International Search Report issued August 20, 2004, during the prosecution of international application no. PCT/US03/25568, which corresponds to the above referenced application, and in accordance with 37 CFR 1.97(c) and (e)(1) or (b)(3), hereby submits these documents for the Examiner's consideration. These documents are cited on the enclosed PTO Form SB/08, and a copy of the International Search Report and each document cited thereon are enclosed as well.


This statement is not to be interpreted as a representation that the cited documents are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any document herein be construed *per se* as a representation that such document is prior art. Moreover, Applicant(s) understand(s) the Examiner will make an independent evaluation of the cited documents.

The undersigned hereby certifies that each item contained in this Information Disclosure Statement was cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

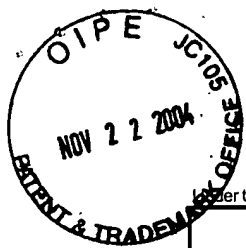
The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. MIY-P01-024.

Dated: November 18, 2004

Respectfully submitted,

By   
Weishi Li

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IFW

PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031

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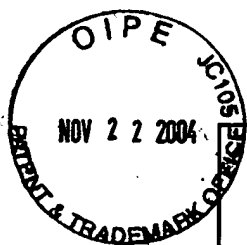
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/642395
	Filing Date	August 14, 2003
	First Named Inventor	Michael S. H. Chu
	Art Unit	N/A
	Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	Attorney Docket Number	MIY-P01-024

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement (3 pages) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. IDS FORM SB/08 (7 pages) 2. References A1-A188, B1-B28, and C1-C41 3. Copy of International Search Report (11 pages) 4. Return Receipt Postcard
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	ROPES & GRAY LLP Weishi Li - 53,217
Signature	
Date	November 18, 2004

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Dated: 11-18-04	Signature:  (Maura A. Gallagher)



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Substitute for form 1449A/B/PTO				<b>Complete If Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				Application Number	10/642395
				Filing Date	August 14, 2003
				First Named Inventor	Michael S. H. Chu
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	7	Attorney Docket Number	MIY-P01-024

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	A1	D466213 S	11/26/02	Snitkin et al.	
	A2	2,738,790	3/20/56	Todt Sr., et al.	
	A3	2,751,903	6/26/56	Ivory et al.	
	A4	2,917,878	12/22/59	Edwin et al.	
	A5	3,472,232	10/14/69	Earl et al.	
	A6	3,565,073	2/23/71	Giesy	
	A7	3,699,969	10/24/72	Allen	
	A8	3,704,712	11/28/72	Giesy et al.	
	A9	3,710,795	1/16/73	Higuchi et al.	
	A10	3,763,860	10/9/73	Clarke	
	A11	3,875,937	4/8/75	Schmitt et al.	
	A12	3,877,434	4/15/75	Ferguson et al.	
	A13	3,937,223	2/10/76	Roth	
	A14	3,995,619	12/7/76	Glatzer	
	A15	4,172,458	10/30/79	Pereyra	
	A16	4,363,319	12/14/82	Altshuler	
	A17	4,367,816	1/11/83	Wilkes	
	A18	4,422,567	12/27/83	Haynes	
	A19	4,445,898	5/1/84	Jensen	
	A20	4,535,768	8/20/85	Hourahane et al.	
	A21	4,592,339	6/3/86	Kuzmak et al.	
	A22	4,606,335	8/19/86	Wedeen	
	A23	4,739,751	4/26/88	Sapega et al.	
	A24	4,741,330	5/3/88	Hayhurst	
	A25	4,744,353	5/17/88	McFarland	
	A26	4,776,337	10/11/88	Palmaz	
	A27	4,784,137	11/15/88	Kulik et al.	
	A28	4,784,138	11/15/88	Sinnett	
	A29	4,798,193	1/17/89	Giesy et al.	
	A30	4,824,435	4/25/89	Giesy et al.	
	A31	4,872,451	10/10/89	Moore et al.	
	A32	4,873,977	10/17/89	Avant et al.	
	A33	4,874,375	10/17/89	Ellison	
	A34	4,896,668	1/30/90	Popoff et al.	
	A35	4,920,958	5/1/90	Walt et al.	
	A36	4,927,420	5/22/90	Newkirk et al.	
	A37	4,938,760	7/3/90	Burton et al.	
	A38	4,946,468	8/7/90	Li	
	A39	4,983,168	1/8/91	Moorehead	
	A40	4,988,339	1/29/91	Vadher	
	A41	5,002,550	3/26/91	Li	
	A42	5,013,292	5/7/91	Lemay	
	A43	5,064,435	11/12/91	Porter	
	A44	5,078,730	1/7/92	Li	
	A45	5,084,058	1/28/92	Li	
	A46	5,085,661	2/4/94	Moss	
Examiner Signature				Date Considered	

Substitute for form 1449A/B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
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				Filing Date	August 14, 2003
				First Named Inventor	Michael S. H. Chu
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	2	of	7	Attorney Docket Number	MIY-P01-024

	A47	5,087,263	2/11/92	Li	
	A48	5,089,013	2/18/92	Bezwada et al.	
	A49	5,112,344	5/12/92	Petros	
	A50	5,133,723	7/28/92	Li et al.	
	A51	5,149,329	9/22/92	Richardson	
	A52	5,152,749	10/6/92	Giesy et al.	
	A53	5,163,946	11/17/92	Li	
	A54	5,167,634	12/1/92	Corrigan Jr. et al.	
	A55	5,188,636	2/23/93	Fedotov	
	A56	5,203,784	4/20/93	Ross et al.	
	A57	5,207,679	5/4/93	Li	
	A58	5,222,508	6/29/93	Contarini	
	A59	5,234,457	8/10/93	Andersen	
	A60	5,250,033	10/5/93	Evans	
	A61	5,256,133	10/26/93	Spitz	
	A62	5,279,311	1/18/94	Snyder	
	A63	5,281,237	1/25/94	Gimpelson	
	A64	5,282,812	2/1/94	Suarez Jr.	
	A65	5,334,185	8/2/94	Giesy et al.	
	A66	5,337,736	8/16/94	Reddy	
	A67	5,354,292	10/11/94	Braeuer et al.	
	A68	5,368,595	11/29/94	Lewis	
	A69	5,409,469	4/25/95	Schaerf	
	A70	5,417,226	5/23/95	Juma	
	A71	5,431,173	7/11/95	Chin et al.	
	A72	5,439,467	8/8/95	Benderev et al.	
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	A74	5,474,543	12/12/95	McKay	
	A75	5,499,991	3/19/96	Garman et al.	
	A76	5,505,735	4/9/96	Li	
	A77	5,544,664	8/13/96	Benderev et al.	
	A78	5,562,717	10/8/96	Tippey et al.	
	A79	5,582,188	12/10/96	Benderev et al.	
	A80	5,591,163	1/7/97	Thompson	
	A81	5,611,515	3/18/97	Benderev et al.	
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	A83	5,624,446	4/29/97	Harryman II	
	A84	5,637,112	6/10/97	Moore et al.	
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	A86	5,645,589	7/8/97	Li	
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	A89	5,690,649	11/25/97	Li	
	A90	5,697,931	12/16/97	Thompson	
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	A92	5,700,286	12/23/97	Tartaglia et al.	
	A93	5,702,215	11/30/97	Li	
	A94	5,742,943	4/28/98	Chen	
	A95	5,749,884	5/12/98	Benderev et al.	

Examiner Signature		Date Considered	
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				First Named Inventor	Michael S. H. Chu
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	3	of	7	Attorney Docket Number	MIY-P01-024

	A96	5,766,221	6/16/98	Benderev et al.	
	A97	5,776,184	7/7/98	Tuch	
	A98	5,813,408	9/29/98	Benderev et al.	
	A99	5,816,258	10/6/98	Jervis	
	A100	5,824,049	10/20/98	Ragheb et al.	
	A101	5,836,314	11/17/98	Benderev et al.	
	A102	5,836,315	11/17/98	Benderev et al.	
	A103	5,840,011	11/24/98	Landgrebe et al.	
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	A105	5,899,909	5/4/99	Ulmsten et al.	
	A106	5,904,692	5/18/99	Jacob et al.	
	A107	5,935,122	8/10/99	Fourkas et al.	
	A108	5,954,057	9/21/99	Li	
	A109	5,997,541	12/7/99	Schenk	
	A110	6,001,104	12/14/99	Benderev et al.	
	A111	6,039,686	3/21/00	Kovac	
	A112	6,042,534	3/28/00	Gellman et al.	
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	A114	6,050,937	4/18/00	Benderev	
	A115	6,056,688	5/2/00	Benderev et al.	
	A116	6,059,801	5/9/00	Samimi	
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	A118	6,096,041	8/1/00	Gellman et al.	
	A119	6,099,538	8/8/00	Moses et al.	
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	A121	6,117,067	9/12/99	Gil-Vernet	
	A122	6,200,330	3/13/01	Benderev et al.	
	A123	6,245,082	6/12/01	Gellman et al.	
	A124	6,264,676	6/24/01	Gellman et al.	
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	A128	6,322,492	11/27/01	Kovac	
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	A131	6,406,423	6/18/02	Scetbon	
	A132	6,423,080	7/23/02	Gellman et al.	
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	A138	6,500,194	12/31/02	Benderev et al.	
	A139	6,502,578	1/7/03	Raz et al.	
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	A141	6,605,097	8/12/03	Lehe et al.	
	A142	6,612,977	9/2/03	Staskin et al.	
	A143	6,638,209	10/28/03	Landgrebe	
	A144	6,638,210	10/28/03	Berger	

Examiner Signature		Date Considered	
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				First Named Inventor	Michael S. H. Chu
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	4	of	7	Attorney Docket Number	MIY-P01-024

	A145	6,638,211	10/28/03	Suslian et al.	
	A146	6,641,525	11/4/03	Rocheleau et al.	
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	A148	6,652,450	11/25/03	Neisz et al.	
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	A150	2001/0000533	4/26/01	Kovac	
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	A152	2001/0023356	9/20/01	Raz et al.	
	A153	2001/0049467	12/6/01	Lehe et al.	
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	A155	2002/0022841	2/21/02	Kovac	
	A156	2002/0055748	5/9/02	Gellman et al.	
	A157	2002/0068948	6/6/02	Stormby et al.	
	A158	2002/0072694	6/13/02	Snitkin	
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	A163	2002/0099258	7/25/02	Staskin et al.	
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	A174	2002/0165566	11/7/02	Ulmsten	
	A175	2002/0188169	12/12/02	Kammerer et al.	
	A176	2003/0004395	1/2/03	Therin	
	A177	2003/0004580	1/2/03	Sump et al.	
	A178	2003/0010929	1/16/03	Priewe et al.	
	A179	2003/0023138	1/30/03	Luscombe	
	A180	2003/0036676	2/20/03	Scetbon	
	A181	2003/0045774	3/6/03	Staskin et al.	
	A182	2003/0045892	3/6/03	Kaladellos	
	A183	2003/0050530	3/13/03	Neisz et al.	
	A184	2003/0100954	5/29/03	Schuldt-Hempe et al.	
	A185	2003/0130670	7/10/03	Anderson et al.	
	A186	2003/0176762	9/18/03	Kammerere	
	A187	2003/0191480	10/9/03	Ulmsten	
	A188	2004/0015048	1/22/04	Neisz et al.	

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FOREIGN PATENT DOCUMENTS							
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		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)					
	B1	DE 2,305,815 A1		8/8/74			
	B2	DE 2,532,242 A1		2/10/77			
	B3	DE 43 34 419 A1		4/13/95	Univ. Ludwigs Albert		
	B4	EP 0 417 189 B1		10/15/97	Boston Scientific Ireland Limited		
	B5	EP 0 506 920 B1		4/9/97	Salama		
	B6	EP 0 628 288 B1		4/5/00	Vidamed, Inc.		
	B7	EP 0 831 751 B1		11/6/02	Bogojavlensky et al.		
	B8	EP 1 159 920 A2		12/5/01	United States Surgical Corp.		
	B9	EP 1 321 111 A2		6/25/03	Conticare, Inc.		
	B10	EP 0 140 557 A3		5/8/85	Blackwood		
	B11	EP 0,437,063 A2		7/17/91	Vance Products		
	B12	EP 0,437,063 A3		7/17/91	Vance Products		
	B13	EP 0 599 772 A1		6/1/94	Technion Research and Development Foundation Ltd.		
	B14	FR 1,539,593		9/13/68	Johnson		
	B15	FR 2,739,016		3/28/97	Comte Georges		
	B16	GB 2,268,690		1/19/94	Lopez		
	B17	SE 503 271		3/1/96	Medscand AB		
	B18	SE 506 164		4/10/97	Medscand Medical AB		
	B19	SU 1,225,547		4/23/86	N.V. Sklifosovskii Moscow Scientific Research Institute of First Aid		
	B20	SU 1,443,873 A1		7/26/89	Kiev State Institute for Further Education of Physicians		
	B21	WO 00/74594		12/14/00	Ethicon, Inc.		
	B22	WO 93/10715		6/10/93	Vesitec Medical Inc.		
	B23	WO 93/19678		10/14/93	Vesitec Medical Inc.		
	B24	WO 96/01597		1/25/96	Dacomed Corporation		
	B25	WO 96/34587		11/7/96	Uramed Corporation		
	B26	WO 96/39227		12/12/96	Urology Inc.		
	B27	WO 97/13465		4/17/97	Medscand Medical		
	B28	WO 98/12971		4/2/98	Medworks Corporation		

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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city	T <sup>2</sup>
Examiner Signature	Date Considered		

Substitute for form 1449A/B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/642395
				Filing Date	August 14, 2003
				First Named Inventor	Michael S. H. Chu
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	6	of	7	Attorney Docket Number	MIY-P01-024

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	C1	Bayer et al., "A New Approach To Primary Strengthening Of Colostomy With Marlex Mesh To Prevent Paracolostomy Hernia," Surgery, Gynecology & Obstetrics, 163:579-580, (1986).	
	C2	Benderev, "A New Endoscopic Bladder Neck Suspension For The Outpatient Treatment Of Stress Urinary Incontinence," J. Urology, 149:197a (1993).	
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				Art Unit	N/A
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Sheet	7	of	7	Attorney Docket Number	MIY-P01-024

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